

BEFORE THE BOARD OF OIL, GAS AND MINING
DEPARTMENT OF NATURAL RESOURCES
STATE OF UTAH

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IN THE MATTER OF THE REQUEST	:	
FOR AGENCY ACTION AND APPEAL	:	NOTICE OF HEARING
OF DIVISION DETERMINATION TO	:	
APPROVE SIGNIFICANT REVISION TO	:	
PERMIT TO ALLOW MINING OF TANK	:	
SEAM BY CO-OP MINING COMPANY	:	
BY PETITIONERS NORTH EMERY	:	DOCKET NO. 94-027
WATER USERS ASSOCIATION,	:	
HUNTINGTON-CLEVELAND	:	
IRRIGATION COMPANY, AND CASTLE	:	CAUSE NO. ACT/015/025-93B
VALLEY SPECIAL SERVICE DISTRICT,	:	
CARBON COUNTY, UTAH	:	

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THE STATE OF UTAH TO ALL PERSONS INTERESTED IN THE ABOVE
ENTITLED MATTER.

Notice is hereby given that the Board of Oil, Gas and Mining ("Board"), State of Utah, will conduct a hearing on Wednesday, August 23, 1995, at 10:00 a.m., or as soon thereafter as possible, in the Boardroom of the Division of Oil, Gas and Mining, 355 West North Temple, 3 Triad Center, Suite 520, Salt Lake City, Utah.

The hearing will be conducted in accordance with the Utah Code Ann. § 40-10-1 et seq., Utah Code Ann. § 63-46b-1 et seq. (1953, as amended), and the Procedural Rules of the Board.

The purpose of the proceeding will be for the Board to determine whether to rehear the matter and modify its Order dated June 13, 1995.

Natural persons may appear and represent themselves before the Board. All other representation by parties before the Board will be by attorneys licensed to practice law in the state of Utah, or attorneys licensed to practice law in another jurisdiction which meet the rules of the Utah State Bar for practicing law before the Utah Courts. Attorney representation may be waived by the Board upon petition and good cause shown.

Responsive pleadings to this matter should be filed with the Secretary of the Board at the above address no later than the 10th day of the month, or two weeks before the scheduled hearing, whichever is earlier. Pleadings filed later than the 10th day may

Page 2
Notice of Hearing
Docket No. 94-027

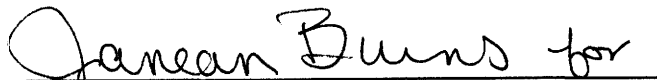
be considered by the Board at or before the regularly scheduled meeting for good cause shown.

Persons interested in this matter may participate pursuant to the procedural rules of the Board. The Request, and any subsequent pleadings, may be inspected in the office of the undersigned.

Pursuant to the Americans with Disabilities Act, persons requiring auxiliary communicative aids and services to enable them to participate in this hearing should call Janice Brown at 538-5340, at least three working days prior to the hearing date.

DATED this 2nd day of August, 1995.

STATE OF UTAH
BOARD OF OIL, GAS AND MINING
Dave D. Lauriski, Chairman

A handwritten signature in cursive script, appearing to read "Janice L. Brown for", is written over a horizontal line.

/s/ Janice L. Brown
Secretary of the Board
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
(801) 538-5340

CERTIFICATE OF MAILING

I hereby certify that I caused a true and correct copy of the foregoing Board NOTICE OF HEARING for Docket No. 94-027, Cause No. ACT/015/025-93B to be mailed by certified mail, postage prepaid, on the 3 day of August, 1995, to the following:

J. Craig Smith, Esq.
David B. Hartvigsen, Esq.
Nielsen & Senior
1100 Eagle Gate Tower
60 East South Temple
Salt Lake City, Utah 84111

Jeffrey W. Appel, Esq.
Benjamin T. Wilson, Esq.
Collard, Appel & Warlaumont
1100 Boston Building
9 Exchange Place
Salt Lake City, Utah 84111

Wendell Owen
Co-Op Mining Company
P.O. Box 1245
Huntington, Utah 84528

Carl E. Kingston, Esq.
3212 South State Street
Salt Lake City, Utah 84115

F. Mark Hansen, Esq.
341 South Main, Suite 406
Salt Lake City, Utah 84111

Hand Delivered to:

Thomas A. Mitchell, Esq.
Assistant Attorney General
Division of Oil, Gas and Mining
355 West North Temple
3 Triad Center, Suite 475
Salt Lake City, Utah 84180

Janean Burns



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

August 2, 1995

Facsimile Transmittal
(801) 637-2716

Sun Advocate
Legal Desk
76 West Main
P.O. Box 870
Price, Utah 84501

Re: Notice of Hearing - Docket No. 94-027, Cause No. ACT/015/025-93B

Attention Legal Desk:

Enclosed is a Notice of Hearing before the Board of Oil, Gas and Mining,
Department of Natural Resources, State of Utah.

It is requested that this notice be published **ONCE ONLY**, no later than
Tuesday, August 8, 1995. In the event that said notice cannot be published by
this date, please notify me immediately by calling (801) 538-5340.

Upon completion of this request, please send proof of publication and
statement of cost to the Division of Oil, Gas and Mining, 355 West North Temple,
3 Triad Center, Suite 350, Salt Lake City, Utah 84180-1203.

Sincerely,

Janean Burns
Legal Secretary

jbe
Enclosure
A:NEWNOTI.LTR



AFFIDAVIT OF PUBLICATION

STATE OF UTAH)

SS.

County of Carbon,)

I, Kevin Ashby, on oath, say that I am the Publisher of the Sun Advocate, a twice-weekly newspaper of general circulation, published at Price, State and County aforesaid, and that a certain notice, a true copy of which is hereto attached, was published in the full issue of such newspaper for 1 (One) consecutive issues, and that the first publication was on the 8th day of August, 1995 and that the last publication of such notice was in the issue of such newspaper dated the 8th day of August, 1995.

Kevin Ashby

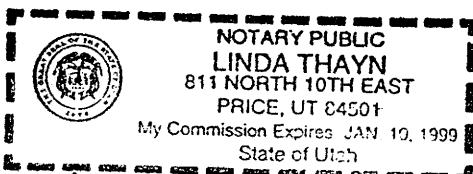
Kevin Ashby - Publisher

Subscribed and sworn to before me this 8th day of August, 1995.

Linda Thayne

Notary Public My commission expires January 10, 1999 Residing at Price, Utah

Publication fee, \$78.40



NOTICE OF HEARING
DOCKET NO. 94-027
CAUSE NO. ACT/015/025-93B

BEFORE THE BOARD OF OIL, GAS AND MINING DEPARTMENT
OF NATURAL RESOURCES STATE OF UTAH

IN THE MATTER OF THE REQUEST FOR AGENCY ACTION AND
APPEAL OF DIVISION DETERMINATION TO APPROVE SIGNIFICANT REVISION TO PERMIT TO ALLOW MINING OF TANK SEAM BY CO-OP MINING COMPANY BY PETITIONERS NORTH EMERY WATER USERS ASSOCIATION, HUNTINGTON-CLEVELAND IRRIGATION COMPANY, AND CASTLE VALLEY SPECIAL SERVICE DISTRICT, CARBON COUNTY, UTAH. THE STATE OF UTAH TO ALL PERSONS INTERESTED IN THE ABOVE ENTITLED MATTER.

Notice is hereby given that the Board of Oil, Gas and Mining ("Board"), State of Utah, will conduct a hearing on Wednesday, August 23, 1995, at 10:00 a.m., or as soon thereafter as possible, in the Boardroom of the Division of Oil, Gas and Mining, 355 West North Temple, 3 Triad Center, Suite 520, Salt Lake City, Utah.

The hearing will be conducted in accordance with the Utah Code Ann. § 40-10-1 et seq., Utah Code Ann. § 63-46b-1 et seq. (1953, as amended), and the Procedural Rules of the Board.

The purpose of the proceeding will be for the Board to determine whether to rehear the matter and modify its Order dated June 13, 1995.

Natural persons may appear and represent themselves before the Board. All other representation by parties before the Board will be by attorneys licensed to practice law in the state of Utah, or attorneys licensed to practice law in another jurisdiction which meet the rules of the Utah State Bar for practicing law before the Utah Courts. Attorney representation may be waived by the Board upon petition and good cause shown.

Responsive pleadings in this matter should be filed with the Secretary of the Board at the above address no later than the 10th day of the month, or two weeks before the scheduled hearing, whichever is earlier. Pleadings filed later than the 10th day may be considered by the Board at or before the regularly scheduled meeting for good cause shown.

Persons interested in this matter may participate pursuant to the procedural rules of the Board. The Request, and any subsequent pleadings, may be inspected in the office of the undersigned.

Pursuant to the Americans with Disabilities Act, persons requiring auxiliary communicative aids and services to enable them to participate in this hearing should call Janice Brown at 538-5340, at least three working days prior to the hearing date.

DATED this 2nd day of August, 1995.

STATE OF UTAH
BOARD OF OIL, GAS AND MINING
Dave D. Lauriski, Chairman

-s-Janean Burns for
Janice L. Brown

Secretary of the Board
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
(801) 538-5340

Published in the Sun Advocate August 8, 1995.

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AFFIDAVIT OF PUBLICATION

STATE OF UTAH)

SS.

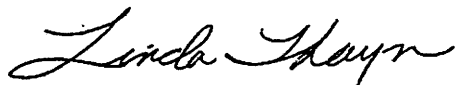
County of Emery,)

I, Kevin Ashby, on oath, say that I am the Publisher of the Emery County Progress, a weekly newspaper of general circulation, published at Castle Dale, State and County aforesaid, and that a certain notice, a true copy of which is hereto attached, was published in the full issue of such newspaper for 1 (One) consecutive issues, and that the first publication was on the 8th day of August, 1995 and that the last publication of such notice was in the issue of such newspaper dated the 8th day of August, 1995.



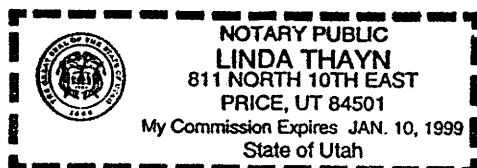
Kevin Ashby - Publisher

Subscribed and sworn to before me this 8th day of August, 1995.



Notary Public My commission expires January 10, 1999 Residing at Price, Utah

Publication fee, \$60.00



NOTICE OF HEARING DOCKET NO. 94-027 CAUSE NO. ACT/015/025-93B

BEFORE THE BOARD OF OIL, GAS AND MINING DEPARTMENT OF NATURAL RESOURCES STATE OF UTAH
IN THE MATTER OF THE REQUEST FOR AGENCY ACTION AND APPEAL OF DIVISION DETERMINATION TO APPROVE SIGNIFICANT REVISION TO PERMIT TO ALLOW MINING OF TANK SEAM BY CO-OP MINING COMPANY BY PETITIONERS NORTH EMERY WATER USERS ASSOCIATION, HUNTINGTON-CLEVELAND IRRIGATION COMPANY, AND CASTLE VALLEY SPECIAL SERVICE DISTRICT, CARBON COUNTY, UTAH. THE STATE OF UTAH TO ALL PERSONS INTERESTED IN THE ABOVE ENTITLED MATTER.

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DATED this 2nd day of August, 1995.

STATE OF UTAH
BOARD OF OIL, GAS AND MINING
Dave D. Lauriski, Chairman

-s-Janean Burns for
Janice L. Brown
Secretary of the Board
355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
(801) 538-5340

Published in the Emery County Progress August 8, 1995.



State of Utah
DEPARTMENT OF NATURAL RESOURCES
DIVISION OF OIL, GAS AND MINING

Michael O. Leavitt
Governor

Ted Stewart
Executive Director

James W. Carter
Division Director

355 West North Temple
3 Triad Center, Suite 350
Salt Lake City, Utah 84180-1203
801-538-5340
801-359-3940 (Fax)
801-538-5319 (TDD)

August 2, 1995

Facsimile Transmittal
237-2520

Newspaper Agency
Legal Desk
P.O. Box 45848
Salt Lake City, Utah 84145

Re: Notice of Hearing - Docket No. 94-027, Cause No. ACT/015/025-93B

Attention Legal Desk:

Enclosed is a Notice of Hearing before the Board of Oil, Gas and Mining,
Department of Natural Resources, State of Utah.

It is requested that this notice be published ONCE ONLY, no later than
Monday, August 7, 1995. In the event that said notice cannot be published by
this date, please notify me immediately by calling 538-5340.

Upon completion of this request, please send proof of publication and
statement of cost to the Division of Oil, Gas and Mining, 355 West North Temple,
3 Triad Center, Suite 350, Salt Lake City, Utah 84180-1203.

Sincerely,

Janean Burns
Legal Secretary

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Enclosure
A:NEWSNOTI.LTR

143 SOUTH MAIN ST.
P.O. BOX 45838
SALT LAKE CITY, UTAH 84145
FED. TAX I.D. # 87-0217663

Newspaper Agency Corporation
The Salt Lake Tribune (NA) DESERET NEWS

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CUSTOMER NAME AND ADDRESS	ACCOUNT NUMBER	
DIV OF OIL, GAS & MINING 355 WEST NORTH TEMPLE 3 TRIAD CENTER #350 SLC, UT 84180	D5385340L-07	08/05/95

ACCOUNT NAME	
DIV OF OIL, GAS & MINING	
TELEPHONE	INVOICE NUMBER
801-538-5340	TL828201901

SCHEDULE	
START 08/05/95 END 08/05/95	

CUST. REF. NO.	
ACT0150259	
CAPTION	
NOTICE OF HEARINGDOCKET NO. 94	
SIZE	
69 LINES	2.00 COLUMN
RATE	
1.64	
CHARGES	AD CHARGES
	226.32
TOTAL COST	
226.32	

AFFIDAVIT OF PUBLICATION

CORPORATION LEGAL BOOKKEEPER, I CERTIFY THAT THE ATTACHED
NOTICE OF HEARINGDOCKET NO. 94 FOR
OIL & GAS & MINING WAS PUBLISHED BY THE NEWSPAPER AGENCY
FOR THE SALT LAKE TRIBUNE AND DESERET NEWS, DAILY NEWSPAPERS
IN ENGLISH LANGUAGE WITH GENERAL CIRCULATION IN UTAH, AND PUBLISHED
IN SALT LAKE COUNTY IN THE STATE OF UTAH.

START 08/05/95 END 08/05/95

DATE 08/05/95

THIS IS NOT A STATEMENT BUT A "PROOF OF PUBLICATION"
PLEASE PAY FROM BILLING STATEMENT.